

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DRAYE D. DURHAM,**  
Petitioner,

v.

**JOSEPH J. PIAZZA,**  
**THE DISTRICT ATTORNEY OF THE**  
**COUNTY OF PHILADELPHIA, and**  
**THE ATTORNEY GENERAL OF THE**  
**STATE OF PENNSYLVANIA,**  
Respondents.

**CIVIL ACTION**

**NO. 07-4338**

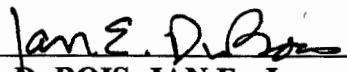
**ORDER**

**AND NOW**, this 12th day of June, 2015, upon consideration of “Motion to Vacate the District Judge’s Order and Memorandum Dated the 11<sup>th</sup> Day of February 2011, Pursuant to Federal Rules of Civil Procedure 60(B)(6)” (Document No. 58, filed December 29, 2014), filed by *pro se* petitioner, Draye D. Durham, for the reasons stated in the accompanying Memorandum dated June 12, 2015, **IT IS ORDERED** as follows:

1. “Motion to Vacate the District Judge’s Order and Memorandum Dated the 11<sup>th</sup> Day of February 2011, Pursuant to Federal Rules of Civil Procedure 60(B)(6),” filed by *pro se* petitioner, Draye D. Durham, is **DISMISSED AS UNTIMELY FILED**; and,

2. A certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court’s procedural ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

  
DuBOIS, JAN E., J.